

1 **TITLE IV—REHABILITATION ACT**
2 **AMENDMENTS**

3 **SEC. 401. SHORT TITLE.**

4 This title may be cited as the “Rehabilitation Act
5 Amendments of 2003”.

6 **SEC. 402. TECHNICAL AMENDMENTS TO TABLE OF CON-**
7 **TENTS.**

8 (a) INCENTIVE GRANTS.—Section 1(b) of the Reha-
9 bilitation Act of 1973 (29 U.S.C. 701 note) is amended
10 by inserting after the item relating to section 112 the fol-
11 lowing:

 “Sec. 113. Incentive grants.”.

12 (b) INDEPENDENT LIVING SERVICES FOR OLDER IN-
13 DIVIDUALS WHO ARE BLIND.—Section 1(b) of the Reha-
14 bilitation Act of 1973 (29 U.S.C. 701 note) is amended
15 by striking the items relating to sections 752 and 753 and
16 inserting the following:

 “Sec. 752. Training and technical assistance.

 “Sec. 753. Program of grants.

 “Sec. 754. Authorization of appropriations.”.

17 **SEC. 403. PURPOSE.**

18 Section 2(b) of the Rehabilitation Act of 1973 (29
19 U.S.C. 701(b)) is amended—

20 (1) in paragraph (1)(F), by striking “and”
21 after the semicolon;

22 (2) in paragraph (2), by striking the period at
23 the end and inserting “; and”; and

1 (3) by adding at the end the following:

2 “(3) to provide opportunities for employers and
3 rehabilitation service providers to provide meaningful
4 input at all levels of government to ensure successful
5 employment of individuals with disabilities.”.

6 **SEC. 404. DEFINITIONS.**

7 Section 7 of the Rehabilitation Act of 1973 (29
8 U.S.C. 705) is amended—

9 (1) in paragraph (2)(B)—

10 (A) in the matter preceding clause (i), by
11 inserting “and literacy services” after “sup-
12 ported employment”; and

13 (B) in clause (iii), by inserting “and lit-
14 eracy skills” after “educational achievements”;

15 (2) by striking paragraph (7) and inserting the
16 following:

17 “(7) CONSUMER ORGANIZATION.—The term
18 ‘consumer organization’ means a membership orga-
19 nization in which a majority of the organization’s
20 members and a majority of the organization’s offi-
21 cers are individuals with disabilities.”;

22 (3) in paragraph (17)—

23 (A) in subparagraph (C), by striking
24 “and” after the semicolon;

1 (B) in subparagraph (D), by striking the
2 period at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(E) maintaining individuals with disabil-
5 ities in, or transitioning individuals with disabil-
6 ities to, community-based living.”;

7 (4) by redesignating paragraphs (24) through
8 (28), (29) through (34), and (35) through (39), as
9 paragraphs (25) through (29), (31) through (36),
10 and (38) through (42), respectively;

11 (5) by inserting after paragraph (23) the fol-
12 lowing:

13 “(24) LITERACY.—The term ‘literacy’ has the
14 meaning given the term in section 203 of the Adult
15 Education and Family Literacy Act (20 U.S.C.
16 9202).”;

17 (6) by inserting after paragraph (29), as redes-
18 igned by paragraph (4), the following:

19 “(30) POST-EMPLOYMENT SERVICE.—The term
20 ‘post-employment’ service means a service identified
21 in section 103(a) that is—

22 “(A) provided subsequent to the achieve-
23 ment of an employment outcome; and

24 “(B) necessary for an individual to main-
25 tain, regain, or advance in employment, con-

1 sistent with the individual's strengths, re-
2 sources, priorities, concerns, abilities, capabili-
3 ties, interests, and informed choice.”;

4 (7) by inserting after paragraph (36), as redes-
5 ignated by paragraph (4), the following:

6 “(37) STUDENT WITH A DISABILITY.—

7 “(A) IN GENERAL.—The term ‘student
8 with a disability’ means an individual with a
9 disability who attends an elementary school or
10 secondary school and who—

11 “(i) is not younger than 14 years of
12 age;

13 “(ii) is not older than 21 years of age;

14 “(iii) has been determined to be eligi-
15 ble under section 102(a) for assistance
16 under title I; and

17 “(iv)(I) is eligible for, and receiving,
18 special education and related services
19 under part B of the Individuals with Dis-
20 abilities Education Act (20 U.S.C. 1411 et
21 seq.); or

22 “(II) is an individual with a disability,
23 for purposes of section 504.

1 “(B) STUDENTS WITH DISABILITIES.—The
2 term ‘students with disabilities’ means more
3 than 1 student with a disability.”; and
4 (8) in paragraph (38)(A)(ii), as redesignated by
5 paragraph (4), by striking “paragraph (36)(C)” and
6 inserting “paragraph (39)(C)”.

7 **SEC. 405. ADMINISTRATION OF THE ACT.**

8 Section 12(a)(1) of the Rehabilitation Act of 1973
9 (29 U.S.C. 709(a)(1)) is amended—

- 10 (1) by inserting “(A)” after “(1)”;
11 (2) by striking the semicolon and inserting “;
12 and”; and
13 (3) by adding at the end the following:
14 “(B) provide technical assistance to the des-
15 ignated State units on developing successful partner-
16 ships with employers;”.

17 **SEC. 406. CARRYOVER.**

18 Section 19 of the Rehabilitation Act of 1973 (29
19 U.S.C. 716) is amended—

- 20 (1) in subsection (a)(1)—
21 (A) by striking “, section 509 (except as
22 provided in section 509(b))”;
23 (B) by striking “or (C)”; and
24 (C) by striking “752(b)” and inserting
25 “753(b)”;

1 (2) by adding at the end the following:

2 “(c) PROTECTION AND ADVOCACY OF INDIVIDUAL
3 RIGHTS.—

4 “(1) APPROPRIATED AMOUNTS.—Notwith-
5 standing any other provision of law, any funds ap-
6 propriated for a fiscal year to carry out a grant pro-
7 gram under section 509 (except as provided in sec-
8 tion 509(b)), including any funds reallocated under
9 such grant program, that are not obligated and ex-
10 pended by recipients prior to the beginning of the
11 succeeding fiscal year shall remain available for obli-
12 gation and expenditure by such recipients during
13 such succeeding fiscal year.

14 “(2) PROGRAM INCOME.—Notwithstanding any
15 other provision of law, any amounts of program in-
16 come received by recipients under a grant program
17 under section 509 that are not obligated and ex-
18 pended by recipients prior to the beginning of the
19 fiscal year succeeding the fiscal year in which such
20 amounts were received, shall remain available for ob-
21 ligation and expenditure by such recipients during
22 the 4 succeeding fiscal years.”.

Subtitle A—Vocational Rehabilitation Services

SEC. 411. DECLARATION OF POLICY; AUTHORIZATION OF APPROPRIATIONS.

Section 100(b)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 720(b)(1)) is amended by striking “fiscal years 1999 through 2003” and inserting “fiscal years 2004 through 2009”.

SEC. 412. STATE PLANS.

Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)) is amended—

(1) in paragraph (6)(B), by striking “to employ and advance in employment” and inserting “to recruit, employ, and advance in employment”;

(2) in paragraph (8)(A), by adding at the end the following:

“(iii) SERVICES IDENTIFIED IN INDIVIDUALIZED WORK PLAN.—For purposes of clause (i), for an individual who receives assistance under the Ticket to Work and Self-Sufficiency Program established under section 1148 of the Social Security Act (42 U.S.C. 1320b–19), comparable benefits and services available under such program only include those benefits and services

1 identified in the individual's individualized
2 work plan developed by an employment
3 network pursuant to such section.”;

4 (3) in paragraph (10)—

5 (A) in subparagraph (B), by striking “an-
6 nual reporting on the eligible individuals receiv-
7 ing the services, on those specific data elements
8 described in section 136(d)(2) of the Workforce
9 Investment Act of 1998” and inserting “annual
10 reporting of information on eligible individuals
11 receiving services that is needed to assess per-
12 formance on the core indicators of performance
13 described in section 136(b)(2)(A)(i) of the
14 Workforce Investment Act of 1998”;

15 (B) in subparagraph (C), by striking
16 clauses (iii) and (iv) and inserting the following:

17 “(iii) the number of applicants and el-
18 igible recipients, including the number of
19 individuals with significant disabilities, who
20 exited the program carried out under this
21 title and the number of such individuals
22 who achieved employment outcomes after
23 receiving vocational rehabilitation services;
24 and

1 “(iv) the number of individuals who
2 received vocational rehabilitation services
3 who entered and retained employment and
4 the increases in earnings of such individ-
5 uals, consistent with State reporting re-
6 sponsibilities pursuant to section
7 136(b)(2)(A)(i) of the Workforce Invest-
8 ment Act of 1998.”; and

9 (C) in subparagraph (E)(ii), by striking
10 “in meeting” and all that follows through the
11 period and inserting “in meeting the standards
12 and indicators established pursuant to section
13 106.”;

14 (4) in paragraph (11)—

15 (A) by striking subparagraph (D)(ii) and
16 inserting the following:

17 “(ii) transition planning by personnel
18 of the designated State agency and the
19 State educational agency that will facilitate
20 the development and completion of the in-
21 dividualized education programs under sec-
22 tion 614(d) of the Individuals with Disabil-
23 ities Education Act (20 U.S.C. 1414(d))
24 and, as appropriate, the development and
25 completion of the individualized plan for

1 employment, in order to achieve post-
2 school employment outcomes of students
3 with disabilities;” and

4 (B) by adding at the end the following:

5 “(G) COORDINATION WITH TICKET TO
6 WORK AND SELF-SUFFICIENCY PROGRAM.—The
7 State plan shall provide that the designated
8 State unit will coordinate activities with any
9 other State agency that administers a Ticket to
10 Work and Self-Sufficiency Program established
11 under section 1148 of the Social Security Act
12 (42 U.S.C. 1320b–19).”; and
13 (5) in paragraph (20)—

14 (A) by redesignating subparagraph (B) as
15 subparagraph (D);

16 (B) by inserting after subparagraph (A)
17 the following:

18 “(B) INFORMATION ON ASSISTANCE FOR
19 BENEFICIARIES OF ASSISTANCE UNDER TITLE
20 II OR XVI OF THE SOCIAL SECURITY ACT.—The
21 State plan shall include an assurance that the
22 designated State agency will make available to
23 individuals entitled to benefits under title II or
24 XVI of the Social Security Act (42 U.S.C. 401
25 et seq., 1381 et seq.) on the basis of a disability

1 or blindness, information on the availability
2 of—

3 “(i) medical assistance under the
4 State medicaid program under title XIX of
5 the Social Security Act (42 U.S.C. 1396 et
6 seq.);

7 “(ii) benefits under the medicare pro-
8 gram under title XVIII of the Social Secu-
9 rity Act (42 U.S.C. 1395 et seq.);

10 “(iii) assistance through benefits plan-
11 ning and assistance programs under sec-
12 tion 1149 of the Social Security Act (42
13 U.S.C. 1320b–20) and protection and ad-
14 vocacy programs under section 1150 of the
15 Social Security Act (42 U.S.C. 1320b–21);
16 and

17 “(iv) medical assistance under other
18 federally-funded programs.

19 “(C) INFORMATION FOR INDIVIDUALS
20 UNDER THE TICKET TO WORK PROGRAM.—The
21 State plan shall include an assurance that the
22 designated State agency will make available to
23 individuals entitled to benefits under title II or
24 XVI of the Social Security Act (42 U.S.C. 401
25 et seq., 1381 et seq.) on the basis of a disability

1 or blindness and eligible for assistance under
2 the Ticket to Work and Self-Sufficiency Pro-
3 gram established under section 1148 of the So-
4 cial Security Act (42 U.S.C. 1320b–19), gen-
5 eral information regarding the Ticket to Work
6 and Self-Sufficiency Program and specific infor-
7 mation on how to contact the program manager
8 of the Ticket to Work and Self-Sufficiency Pro-
9 gram to obtain information on approved em-
10 ployment networks.”; and

11 (C) in subparagraph (D)(ii), as redesign-
12 nated by subparagraph (A)—

13 (i) in subclause (II), by inserting “, to
14 the maximum extent possible,” after
15 “point of contact”; and

16 (ii) in subclause (III), by striking “or
17 regain” and inserting “regain, or advance
18 in”.

19 **SEC. 413. ELIGIBILITY AND INDIVIDUALIZED PLAN FOR EM-**
20 **PLOYMENT.**

21 Section 102 of the Rehabilitation Act of 1973 (29
22 U.S.C. 722) is amended—

23 (1) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking
2 the semicolon at the end and inserting “,
3 including a listing of all the community re-
4 sources (including resources from organiza-
5 tions of individuals with disabilities), to the
6 maximum extent possible, to assist in the
7 development of such individual’s individual-
8 ized plan for employment to enable the in-
9 dividual to make informed and effective
10 choices in developing the individualized
11 plan for employment;” and

12 (ii) in subparagraph (D)—

13 (I) in clause (i), by striking
14 “and” after the semicolon;

15 (II) in clause (ii), by striking the
16 period at the end and inserting a
17 semicolon; and

18 (III) by adding at the end the
19 following:

20 “(iii) for individuals entitled to benefits
21 under title II or XVI of the Social Security Act
22 (42 U.S.C. 401 et seq., 1381 et seq.) on the
23 basis of a disability or blindness, information on
24 the availability of—

1 “(I) medical assistance under the
2 State medicaid program under title XIX of
3 the Social Security Act (42 U.S.C. 1396 et
4 seq.);

5 “(II) benefits under the medicare pro-
6 gram under title XVIII of the Social Secu-
7 rity Act (42 U.S.C. 1395 et seq.);

8 “(III) assistance through benefits
9 planning and assistance programs under
10 section 1149 of the Social Security Act (42
11 U.S.C. 1320b–20) and protection and ad-
12 vocacy programs under section 1150 of the
13 Social Security Act (42 U.S.C. 1320b–21);
14 and

15 “(IV) medical assistance under other
16 federally-funded programs; and

17 “(iv) for individuals entitled to benefits
18 under title II or XVI of the Social Security Act
19 (42 U.S.C. 401 et seq., 1381 et seq.) on the
20 basis of a disability or blindness and eligible for
21 assistance under the Ticket to Work and Self-
22 Sufficiency Program established under section
23 1148 of the Social Security Act (42 U.S.C.
24 1320b–19), information—

1 “(I) on the options under the Ticket
2 to Work and Self-Sufficiency Program; and

3 “(II) on how to contact the program
4 manager of the Ticket to Work and Self-
5 Sufficiency Program who has contact in-
6 formation on approved employment net-
7 works, the benefits planning and assistance
8 programs in the area, and the protection
9 and advocacy programs in the area.”;

10 (B) in paragraph (2)(E)—

11 (i) in clause (i)(II), by striking “and”
12 after the semicolon;

13 (ii) in clause (ii), by striking the pe-
14 riod at the end and inserting “; and”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(iii) amended, as necessary, to in-
18 clude the post-employment services and
19 service providers that are necessary for the
20 individual to maintain, regain, or advance
21 in employment, consistent with the individ-
22 ual’s strengths, resources, priorities, con-
23 cerns, abilities, capabilities, interests, and
24 informed choice.”; and

25 (C) in paragraph (3)—

1 (i) in subparagraph (B)(i)(I), by strik-
2 ing “and personal assistance services” and
3 inserting “mentoring services, and personal
4 assistance services”;

5 (ii) in subparagraph (F)(ii), by strik-
6 ing “and” after the semicolon;

7 (iii) in subparagraph (G), by striking
8 the period at the end and inserting a semi-
9 colon; and

10 (iv) by adding at the end the fol-
11 lowing:

12 “(H) for a student with a disability, the
13 description—

14 “(i) in paragraph (3)(A), may be a
15 description of the student’s projected post-
16 school employment outcome; and

17 “(ii) in paragraph (3)(B), shall in-
18 clude the specific transition services (in-
19 cluding, as appropriate, work experience
20 and mentoring activities) needed to achieve
21 the student’s employment outcome or pro-
22 jected employment outcome; and

23 “(I) for an individual who is receiving as-
24 sistance under the Ticket to Work and Self-Suf-
25 ficiency Program established under section

1 1148 of the Social Security Act (42 U.S.C.
2 1320b–19), a list of services such individual re-
3 ceives from an employment network other than
4 the designated State unit.”; and
5 (2) in subsection (c)(7), by inserting “that take
6 into consideration the informed choice of the indi-
7 vidual,” after “plan development,”.

8 **SEC. 414. VOCATIONAL REHABILITATION SERVICES.**

9 Section 103(a) of the Rehabilitation Act of 1973 (29
10 U.S.C. 723(a)) is amended—

11 (1) in paragraph (5), by inserting “literacy
12 services,” after “vocational adjustment services,”;

13 (2) in paragraph (17), by striking “and” after
14 the semicolon;

15 (3) in paragraph (18), by striking the period at
16 the end and inserting “; and”; and

17 (4) by adding at the end the following:

18 “(19) mentoring services.”.

19 **SEC. 415. STATE REHABILITATION COUNCIL.**

20 Section 105(b)(1)(A)(ix) of the Rehabilitation Act of
21 1973 (29 U.S.C. 725(b)(1)(A)(ix)) is amended to read as
22 follows:

23 “(ix) in a State in which 1 or more
24 projects provide services under section 121,

1 not less than 1 representative of the direc-
2 tors of the projects;”.

3 **SEC. 416. EVALUATION STANDARDS AND PERFORMANCE**
4 **INDICATORS.**

5 Section 106(b)(2)(B)(i) of the Rehabilitation Act of
6 1973 (29 U.S.C. 726(b)(2)(B)(i)) is amended by striking
7 “, if necessary” and all that follows through the semicolon
8 and inserting “if the State has not improved its perform-
9 ance to acceptable levels, as determined by the Commis-
10 sioner, direct the State to make further revisions to the
11 plan to improve performance, which may include allocating
12 a higher proportion of the State’s resources for services
13 to individuals with disabilities if the State’s spending on
14 such services is low in comparison to spending on such
15 services in comparable agencies in other States;”.

16 **SEC. 417. STATE ALLOTMENTS.**

17 Section 110 of the Rehabilitation Act of 1973 (29
18 U.S.C. 730) is amended—

19 (1) by striking subsection (b) and inserting the
20 following:

21 “(b) REALLOTMENT.—

22 “(1) DETERMINATION.—Not later than 45 days
23 prior to the end of the fiscal year, the Commissioner
24 shall determine, after reasonable opportunity for the
25 submission to the Commissioner of comments by the

1 State agency administering or supervising the pro-
2 gram established under this title, that any payment
3 of an allotment to a State under section 111(a) for
4 any fiscal year will not be utilized by such State in
5 carrying out the purposes of this title.

6 “(2) FORMULA.—

7 “(A) IN GENERAL.—As soon as practicable
8 but not later than the end of the fiscal year, the
9 Commissioner shall reallocate the amount available
10 under paragraph (1) to other States, consistent
11 with subparagraphs (B) and (C), for carrying
12 out the purposes of this title to the extent the
13 Commissioner determines such other State will
14 be able to use such additional amount during
15 that fiscal year or the subsequent fiscal year for
16 carrying out such purposes.

17 “(B) FORMULA.—

18 “(i) ELIGIBLE STATES.—The Com-
19 missioner shall reallocate the amount available
20 under paragraph (1) for a fiscal year to
21 each State whose allotment under sub-
22 section (a) for such fiscal year is less than
23 such State’s allotment under subsection (a)
24 for the immediately preceding fiscal year
25 increased by the percentage change in the

1 funds available for subsection (a) from the
2 immediately preceding fiscal year.

3 “(ii) AMOUNT.—

4 “(I) IN GENERAL.—A State that
5 is eligible to receive a reallocation
6 under clause (i) shall receive an
7 amount for a fiscal year from the
8 amount available for reallocation
9 under paragraph (1) that is equal to
10 the difference between—

11 “(aa) the amount such State
12 received for such fiscal year; and

13 “(bb) the amount such State
14 was allotted under subsection (a)
15 for the immediately preceding fis-
16 cal year adjusted by the percent-
17 age change in the funds available
18 for subsection (a) from the im-
19 mediately preceding fiscal year.

20 “(II) INSUFFICIENT FUNDS.—If
21 the amount available for reallocation
22 under paragraph (1) is insufficient to
23 provide each State eligible to receive a
24 reallocation with the amount described
25 in subclause (I), the amount reallocated

1 to each eligible State shall be deter-
2 mined by the Commissioner.

3 “(C) REMAINING FUNDS.—If there are
4 funds remaining after each State eligible to re-
5 ceive a reallocation under subparagraph (B)(i)
6 receives the amount described in subparagraph
7 (B)(ii), the Commissioner shall reallocate the re-
8 maining funds among the States requesting a
9 reallocation.

10 “(3) NON-FEDERAL SHARE.—The Commis-
11 sioner shall reallocate an amount to a State under this
12 subsection only if the State will be able to make suf-
13 ficient payments from non-Federal sources to pay
14 for the non-Federal share of the cost of vocational
15 rehabilitation services under the State plan for the
16 fiscal year for which the amount was appropriated.

17 “(4) INCREASE IN ALLOTMENT.—For the pur-
18 poses of this part, any amount made available to a
19 State for any fiscal year pursuant to this subsection
20 shall be regarded as an increase of such State’s al-
21 lotment (as determined under the preceding provi-
22 sions of this section) for such year.”; and

23 (2) by striking subsection (c)(2) and inserting
24 the following:

25 “(2)(A) In this paragraph:

1 “(i) The term ‘appropriated amount’ means the
2 amount appropriated under section 100(b)(1) for al-
3 lotment under this section.

4 “(ii) The term ‘covered year’ means a fiscal
5 year—

6 “(I) that begins after September 30, 2003;
7 and

8 “(II) for which the appropriated amount
9 exceeds the total of—

10 “(aa) the appropriated amount for the
11 preceding fiscal year; and

12 “(bb) 0.075 percent of the appro-
13 priated amount for the preceding fiscal
14 year.

15 “(B) For each covered year, the sum referred to in
16 paragraph (1) shall be, as determined by the Secretary,
17 the lesser of—

18 “(i) the total of the sum reserved under this
19 subsection for the preceding fiscal year and 0.075
20 percent of the appropriated amount for the covered
21 year; and

22 “(ii) 1.5 percent of the appropriated amount for
23 the covered year.”.

1 **SEC. 418. CLIENT ASSISTANCE PROGRAM.**

2 Section 112 of the Rehabilitation Act of 1973 (29
3 U.S.C. 732) is amended—

4 (1) in subsection (a), by striking “States” and
5 inserting “agencies designated under subsection
6 (c)”;

7 (2) in subsection (e)—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), by striking
10 “The Secretary” and all that follows
11 through the period and inserting the fol-
12 lowing: “After reserving funds under sub-
13 paragraphs (E) and (F), the Secretary
14 shall allot the remainder of the sums ap-
15 propriated for each fiscal year under this
16 section among the agencies designated
17 under subsection (c) within the States on
18 the basis of relative population of each
19 State, except that no such agency shall re-
20 ceive less than \$50,000.”;

21 (ii) in subparagraph (B), by inserting
22 “the designated agencies located in” after
23 “each to”;

24 (iii) in subparagraph (D)(i)—

1 (I) by inserting “the designated
2 agencies located in” after “\$100,000
3 for”; and

4 (II) by inserting “the designated
5 agencies located in” after “\$45,000
6 for”; and

7 (iv) by adding at the end the fol-
8 lowing:

9 “(E)(i) Beginning on October 1, 2004, for any fiscal
10 year for which the amount appropriated to carry out this
11 section equals or exceeds \$13,000,000, the Secretary shall
12 reserve funds appropriated under this section to make
13 grants to the protection and advocacy system serving the
14 American Indian Consortium to provide client assistance
15 services in accordance with this section. The amount of
16 such grants shall be the same amount as provided to terri-
17 tories under subparagraph (B), as increased under clauses
18 (i) and (ii) of subparagraph (D).

19 “(ii) In this subparagraph:

20 “(I) The term ‘American Indian Consortium’
21 has the meaning given the term in section 102 of the
22 Developmental Disabilities Assistance and Bill of
23 Rights Act of 2000 (42 U.S.C. 15002).

24 “(II) The term ‘protection and advocacy sys-
25 tem’ means a protection and advocacy system estab-

1 lished under subtitle C of title I of the Develop-
2 mental Disabilities Assistance and Bill of Rights Act
3 of 2000 (42 U.S.C. 15041 et seq.).

4 “(F) For any fiscal year for which the amount appro-
5 priated to carry out this section equals or exceeds
6 \$14,000,000, the Secretary shall reserve not less than 1.8
7 percent and not more than 2.2 percent of such amount
8 to provide training and technical assistance to the pro-
9 grams established under this section. Such training and
10 technical assistance shall be coordinated with funds avail-
11 able under section 509(c)(1)(A).”;

12 (B) in paragraph (2)—

13 (i) by striking “State” each place
14 such term appears and inserting “des-
15 ignated agency”; and

16 (ii) by striking “States” each place
17 such term appears and inserting “des-
18 ignated agencies”; and

19 (C) in paragraph (3), by striking “Except
20 as specifically prohibited by or as otherwise pro-
21 vided in State law, the Secretary shall pay” and
22 inserting “The Secretary shall pay directly”;

23 (3) in subsection (f), by striking “State” and
24 inserting “agency designated under subsection (c)”;
25 and

1 (4) in subsection (h), by striking “fiscal years
2 1999 through 2003” and inserting “fiscal years
3 2004 through 2009”.

4 **SEC. 419. INCENTIVE GRANTS.**

5 Part B of title I of the Rehabilitation Act of 1973
6 (29 U.S.C. 730 et seq.) is amended by adding at the end
7 the following:

8 **“SEC. 113. INCENTIVE GRANTS.**

9 “(a) **AUTHORITY.**—The Commissioner is authorized
10 to make incentive grants to States that, based on the cri-
11 teria established under subsection (b)(1), demonstrate—

12 “(1) a high level of performance; or

13 “(2) a significantly improved level of perform-
14 ance as compared to the previous reporting period or
15 periods.

16 “(b) **CRITERIA.**—

17 “(1) **ESTABLISHMENT.**—Not later than 180
18 days after the date of enactment of this section, the
19 Commissioner shall establish, and publish in the
20 Federal Register, criteria for making grant awards
21 under subsection (a).

22 “(2) **DEVELOPMENT AND EVALUATION STAND-**
23 **ARDS.**—The criteria under paragraph (1) shall—

24 “(A) be developed with input from State
25 vocational rehabilitation agencies and other vo-

1 cational rehabilitation stakeholders, including
2 vocational rehabilitation consumers and con-
3 sumer organizations; and

4 “(B) be based upon the evaluation stand-
5 ards and performance indicators established
6 under section 106 and other performance re-
7 lated measures that the Commissioner deter-
8 mines to be appropriate.

9 “(c) USE OF FUNDS.—A State that receives a grant
10 under subsection (a) shall use the grant funds for any ap-
11 proved activities in the State’s State plan submitted under
12 section 101.

13 “(d) NO NON-FEDERAL SHARE REQUIREMENT.—
14 The provisions of sections 101(a)(3) and 111(a)(2) shall
15 not apply to this section.

16 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 such sums as may be necessary for each of fiscal years
19 2004 through 2009.”.

20 **SEC. 420. VOCATIONAL REHABILITATION SERVICES**
21 **GRANTS.**

22 Section 121 of the Rehabilitation Act of 1973 (29
23 U.S.C. 741) is amended—

24 (1) in subsection (a), in the first sentence, by
25 inserting “, consistent with such individuals’

1 strengths, resources, priorities, concerns, abilities,
2 capabilities, interests, and informed choice, so that
3 such individuals may prepare for, and engage in,
4 gainful employment” before the period at the end;
5 and

6 (2) in subsection (b)—

7 (A) in paragraph (1)—

8 (i) in subparagraph (B), by striking
9 “and” after the semicolon;

10 (ii) in subparagraph (C), by striking
11 the period at the end and inserting “;
12 and”; and

13 (iii) by adding at the end the fol-
14 lowing:

15 “(D) contains assurances that—

16 “(i) all decisions affecting eligibility for vo-
17 cational rehabilitation services, the nature and
18 scope of available services, and the provision of
19 such services, will be made by a representative
20 of the tribal vocational rehabilitation program;
21 and

22 “(ii) such decisions will not be delegated to
23 another agency or individual.”;

24 (B) in paragraph (3), by striking the first
25 sentence and inserting the following: “An appli-

1 cation approved under this part that complies
2 with the program requirements set forth in the
3 regulations promulgated to carry out this part
4 shall be effective for 5 years and shall be re-
5 newed for additional 5-year periods if the Com-
6 missioner determines that the grantee dem-
7 onstrated acceptable past performance and the
8 grantee submits a plan, including a proposed
9 budget, to the Commissioner that the Commis-
10 sioner approves that identifies future perform-
11 ance criteria, goals, and objectives.”; and

12 (C) by striking paragraph (4) and insert-
13 ing the following:

14 “(4) In allocating funds under this part, the Sec-
15 retary shall give priority to paying the continuation costs
16 of existing projects and may provide for increases in fund-
17 ing for such projects as determined necessary.”.

18 **SEC. 421. GAO STUDIES.**

19 (a) STUDY ON TITLE I AND TICKET TO WORK.—

20 (1) IN GENERAL.—The Comptroller General of
21 the United States shall conduct a study on the inter-
22 action of title I of the Rehabilitation Act of 1973
23 (29 U.S.C. 720 et seq.) with the Ticket to Work and
24 Self-Sufficiency Program established under section
25 1148 of the Social Security Act (42 U.S.C. 1320b—

1 19), including the impact of the interaction on bene-
2 ficiaries, community rehabilitation programs, and
3 State vocational rehabilitation agencies.

4 (2) CONDUCT OF STUDY.—In conducting the
5 study under paragraph (1), the Comptroller General
6 of the United States shall consult with all partici-
7 pants in the Ticket to Work and Self-Sufficiency
8 Program, including the Social Security Administra-
9 tion, the Rehabilitation Services Administration,
10 ticketholders, State agencies, community rehabilita-
11 tion programs (including employment networks and
12 nonemployment networks), protection and advocacy
13 agencies, MAXIMUS, and organizations rep-
14 resenting the interests of ticketholders.

15 (3) REPORT TO CONGRESS.—Not later than 18
16 months after the date of enactment of this title, the
17 Comptroller General of the United States shall sub-
18 mit the study conducted pursuant to this subsection
19 to the appropriate committees of Congress.

20 (b) STUDY ON THE ALLOTMENT FORMULA.—

21 (1) IN GENERAL.—The Comptroller General of
22 the United States shall conduct a study on the rela-
23 tionship between the State allotment formula under
24 section 110 of the Rehabilitation Act of 1973 (29
25 U.S.C. 730) and the ability of States to provide vo-

1 cational rehabilitation services in accordance with
2 the State's State plan under section 101 of such
3 Act.

4 (2) CONDUCT OF STUDY.—In conducting the
5 study under paragraph (1), the Comptroller General
6 of the United States shall consult with appropriate
7 entities.

8 (3) REPORT TO CONGRESS.—Not later than 12
9 months after the date of enactment of this title, the
10 Comptroller General of the United States shall sub-
11 mit the study conducted pursuant to this subsection
12 to the appropriate committees of Congress.

13 **Subtitle B—Research and Training**

14 **SEC. 431. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 201(a) of the Rehabilitation Act of 1973 (29
16 U.S.C. 761(a)) is amended—

17 (1) in paragraph (1), by striking “fiscal years
18 1999 through 2003” and inserting “fiscal years
19 2004 through 2009”; and

20 (2) in paragraph (2), by striking “fiscal years
21 1999 through 2003” and inserting “fiscal years
22 2004 through 2009”.

1 **SEC. 432. NATIONAL INSTITUTE ON DISABILITY AND REHA-**
2 **BILITATION RESEARCH.**

3 Section 202(f)(1) of the Rehabilitation Act of 1973
4 (29 U.S.C. 762(f)(1)) is amended by striking “Federal
5 employees” and inserting “Department of Education em-
6 ployees”.

7 **SEC. 433. RESEARCH AND OTHER COVERED ACTIVITIES.**

8 Section 204(c)(2) of the Rehabilitation Act of 1973
9 (29 U.S.C. 764(c)(2)) is amended by striking “\$500,000”
10 and inserting “\$750,000”.

11 **SEC. 434. REHABILITATION RESEARCH ADVISORY COUNCIL.**

12 Section 205(c) of the Rehabilitation Act of 1973 (29
13 U.S.C. 765(c)) is amended by adding at the end the fol-
14 lowing: “The Council also shall include a representative
15 from the business community who has experience with the
16 vocational rehabilitation system and hiring individuals
17 with disabilities.”.

18 **Subtitle C—Professional Develop-**
19 **ment and Special Projects and**
20 **Demonstrations**

21 **SEC. 441. TRAINING.**

22 Section 302 of the Rehabilitation Act of 1973 (29
23 U.S.C. 772) is amended—

24 (1) in subsection (b)(1)(B)(i), by striking “or
25 prosthetics and orthotics” and inserting “prosthetics

1 and orthotics, rehabilitation for the blind, or orienta-
2 tion and mobility instruction”; and

3 (2) in subsection (i), by striking “fiscal years
4 1999 through 2003” and inserting “fiscal years
5 2004 through 2009”.

6 **SEC. 442. DEMONSTRATION AND TRAINING PROGRAMS.**

7 Section 303 of the Rehabilitation Act of 1973 (29
8 U.S.C. 773) is amended—

9 (1) in subsection (b)(5)(A)(i), by striking “spe-
10 cial projects” and inserting “not less than 2 special
11 projects”;

12 (2) by redesignating subsection (e) as sub-
13 section (f);

14 (3) in subsection (f), as redesignated by para-
15 graph (2), by striking “fiscal years 1999 through
16 2003” and inserting “fiscal years 2004 through
17 2009”; and

18 (4) by inserting after subsection (d) the fol-
19 lowing:

20 “(e) ACCESS TO TELEWORK.—

21 “(1) DEFINITION OF TELEWORK.—In this sub-
22 section, the term ‘telework’ means to work from
23 home and other telework sites with the assistance of
24 a computer and with reasonable accommodations, in-

1 including the necessary equipment to facilitate suc-
2 cessful work from home and other telework sites.

3 “(2) AUTHORIZATION OF PROGRAM.—The Com-
4 missioner is authorized to make grants to States and
5 governing bodies of American Indian tribes located
6 on Federal and State reservations (and consortia of
7 such governing bodies) to pay for the Federal share
8 of the cost of establishing or expanding a telework
9 program.

10 “(3) APPLICATION.—A State that desires to re-
11 ceive a grant under this subsection shall submit an
12 application to the Commissioner at such time, in
13 such manner, and containing such information as
14 the Commissioner may require.

15 “(4) USE OF FUNDS.—A State that receives a
16 grant under this subsection shall establish or expand
17 a telework program that shall provide loans or other
18 alternative financing mechanisms to individuals with
19 disabilities to enable such individuals to purchase
20 computers or other equipment, including adaptive
21 equipment, that facilitates work from home and
22 other telework sites so that such individuals are able
23 to telework.

24 “(5) ANNUAL REPORT.—

1 “(A) IN GENERAL.—A State that receives
2 a grant under this subsection shall submit an
3 annual report to the Commissioner.

4 “(B) CONTENTS.—The report under sub-
5 paragraph (A) shall include the following:

6 “(i) The characteristics of each indi-
7 vidual with a disability that receives a loan
8 or other alternative financing mechanism
9 under the program, including information
10 about the individual such as the following:

11 “(I) Age.

12 “(II) Ethnicity.

13 “(III) Type of disability.

14 “(IV) Employment status at the
15 time of application for a loan or other
16 alternative financing mechanism
17 under this subsection.

18 “(V) Whether the individual at-
19 tempted to secure financial support
20 from other sources to enable the indi-
21 vidual to telework and, if so, a de-
22 scription of such sources.

23 “(VI) Whether the individual is
24 working and, if so, whether the indi-
25 vidual teleworks, the occupation in

1 which the individual is working, the
2 hourly salary the individual receives,
3 and the hourly salary of the individual
4 prior to receiving a loan or other al-
5 ternative financing mechanism under
6 the program.

7 “(VII) Whether the individual
8 has repaid the loan or other alter-
9 native financing mechanism received
10 under the program, is in repayment
11 status, is delinquent on repayments,
12 or has defaulted on the loan or other
13 alternative financing mechanism.

14 “(ii) Any other information that the
15 Commissioner may require.

16 “(6) FEDERAL SHARE.—The Federal share of
17 the cost of establishing a telework program shall be
18 10 percent of the cost.”.

19 **SEC. 443. MIGRANT AND SEASONAL FARMWORKERS.**

20 Section 304(b) of the Rehabilitation Act of 1973 (29
21 U.S.C. 774(b)) is amended by striking “fiscal years 1999
22 through 2003” and inserting “fiscal years 2004 through
23 2009”.

1 **SEC. 444. RECREATIONAL PROGRAMS.**

2 Section 305 of the Rehabilitation Act of 1973 (29
3 U.S.C. 775) is amended—

4 (1) in subsection (a)(1)(B), by striking “con-
5 struction of facilities for aquatic rehabilitation ther-
6 apy,”; and

7 (2) in subsection (b), by striking “fiscal years
8 1999 through 2003” and inserting “fiscal years
9 2004 through 2009”.

10 **Subtitle D—National Council on**
11 **Disability**

12 **SEC. 451. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 405 of the Rehabilitation Act of 1973 (29
14 U.S.C. 785) is amended by striking “fiscal years 1999
15 through 2003” and inserting “fiscal years 2004 through
16 2009”.

17 **Subtitle E—Rights and Advocacy**

18 **SEC. 461. ARCHITECTURAL AND TRANSPORTATION BAR-**
19 **RIERS COMPLIANCE BOARD.**

20 Section 502(j) of the Rehabilitation Act of 1973 (29
21 U.S.C. 792(j)) is amended by striking “fiscal years 1999
22 through 2003” and inserting “fiscal years 2004 through
23 2009”.

1 **SEC. 462. PROTECTION AND ADVOCACY OF INDIVIDUAL**
2 **RIGHTS.**

3 Section 509 of the Rehabilitation Act of 1973 (29
4 U.S.C. 794e) is amended—

5 (1) in subsection (g)(2), by striking “was paid”
6 and inserting “was paid, except that program in-
7 come generated from the amount paid to an eligible
8 system shall remain available to such system for ob-
9 ligation during any succeeding fiscal year”; and

10 (2) in subsection (l), by striking “fiscal years
11 1999 through 2003” and inserting “fiscal years
12 2004 through 2009”.

13 **Subtitle F—Employment Opportu-**
14 **nities for Individuals With Dis-**
15 **abilities**

16 **SEC. 471. PROJECTS WITH INDUSTRY AUTHORIZATION OF**
17 **APPROPRIATIONS.**

18 Section 612 of the Rehabilitation Act of 1973 (29
19 U.S.C. 795a) is amended by striking “fiscal years 1999
20 through 2003” and inserting “fiscal years 2004 through
21 2009”.

22 **SEC. 472. SERVICES FOR INDIVIDUALS WITH SIGNIFICANT**
23 **DISABILITIES AUTHORIZATION OF APPRO-**
24 **PRIATIONS.**

25 Section 628 of the Rehabilitation Act of 1973 (29
26 U.S.C. 795n) is amended by striking “fiscal years 1999

1 through 2003” and inserting “fiscal years 2004 through
2 2009”.

3 **Subtitle G—Independent Living**
4 **Services and Centers for Inde-**
5 **pendent Living**

6 **SEC. 481. STATE PLAN.**

7 Section 704 of the Rehabilitation Act of 1973 (42
8 U.S.C. 795c) is amended by adding at the end the fol-
9 lowing:

10 “(o) PROMOTING FULL ACCESS TO COMMUNITY
11 LIFE.—The plan shall describe how the State will provide
12 independent living services that promote full access to
13 community life for individuals with significant disabilities.
14 The services shall include, as appropriate, facilitating
15 transitions from nursing homes and other institutions, in-
16 cluding institutions serving individuals with cognitive dis-
17 abilities, to community-based residences, assisting individ-
18 uals with significant disabilities at risk of entering institu-
19 tions to remain in the community, and promoting home
20 ownership among individuals with significant disabil-
21 ities.”.

22 **SEC. 482. STATEWIDE INDEPENDENT LIVING COUNCIL.**

23 Section 705(b)(5) of the Rehabilitation Act of 1973
24 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

1 “(5) CHAIRPERSON.—The Council shall select a
2 chairperson from among the voting membership of
3 the Council.”.

4 **SEC. 483. INDEPENDENT LIVING SERVICES AUTHORIZA-**
5 **TION OF APPROPRIATIONS.**

6 Section 714 of the Rehabilitation Act of 1973 (29
7 U.S.C. 796e–3) is amended by striking “fiscal years 1999
8 through 2003” and inserting “fiscal years 2004 through
9 2009”.

10 **SEC. 484. PROGRAM AUTHORIZATION.**

11 Section 721 of the Rehabilitation Act of 1973 (42
12 U.S.C. 796f) is amended—

13 (1) by striking subsection (c) and inserting the
14 following:

15 “(c) ALLOTMENTS TO STATES.—

16 “(1) DEFINITIONS.—In this subsection:

17 “(A) ADDITIONAL APPROPRIATION.—The
18 term ‘additional appropriation’ means the
19 amount (if any) by which the appropriation for
20 a fiscal year exceeds the total of—

21 “(i) the amount reserved under sub-
22 section (b) for that fiscal year; and

23 “(ii) the appropriation for fiscal year
24 2003.

1 “(B) APPROPRIATION.—The term ‘appro-
2 piation’ means the amount appropriated to
3 carry out this part.

4 “(C) BASE APPROPRIATION.—The term
5 ‘base appropriation’ means the portion of the
6 appropriation for a fiscal year that is equal to
7 the lesser of—

8 “(i) an amount equal to 100 percent
9 of the appropriation, minus the amount re-
10 served under subsection (b) for that fiscal
11 year; or

12 “(ii) the appropriation for fiscal year
13 2003.

14 “(2) ALLOTMENTS TO STATES FROM BASE AP-
15 PROPRIATION.—After the reservation required by
16 subsection (b) has been made, the Commissioner
17 shall allot to each State whose State plan has been
18 approved under section 706 an amount that bears
19 the same ratio to the base appropriation as the
20 amount the State received under this subsection for
21 fiscal year 2003 bears to the total amount that all
22 States received under this subsection for fiscal year
23 2003.

24 “(3) ALLOTMENTS TO STATES OF ADDITIONAL
25 APPROPRIATION.—From any additional appropria-

1 tion for each fiscal year, the Commissioner shall
2 allot to each State whose State plan has been ap-
3 proved under section 706 an amount equal to the
4 sum of—

5 “(A) an amount that bears the same ratio
6 to 50 percent of the additional appropriation as
7 the population of the State bears to the popu-
8 lation of all States; and

9 “(B) $\frac{1}{56}$ of 50 percent of the additional
10 appropriation.”; and

11 (2) by adding at the end the following:

12 “(e) CARRYOVER AUTHORITY.—Any amount paid to
13 an agency to operate a center for independent living under
14 this chapter for a fiscal year and any amount of program
15 income that remains unobligated at the end of such year
16 shall remain available to such agency for obligation during
17 the next 2 fiscal years for the purposes for which such
18 amount was paid.”.

19 **SEC. 485. GRANTS TO CENTERS FOR INDEPENDENT LIVING**
20 **IN STATES IN WHICH FEDERAL FUNDING EX-**
21 **CEEDS STATE FUNDING.**

22 Section 722(c) of the Rehabilitation Act of 1973 (29
23 U.S.C. 796f–1(c)) is amended by striking “by September
24 30, 1997” and inserting “during the preceding year”.

1 **SEC. 486. GRANTS TO CENTERS FOR INDEPENDENT LIVING**
2 **IN STATES IN WHICH STATE FUNDING**
3 **EQUALS OR EXCEEDS FEDERAL FUNDING.**

4 Section 723(c) of the Rehabilitation Act of 1973 (29
5 U.S.C. 796f-2(c)) is amended by striking “by September
6 30, 1997” and inserting “during the preceding year”.

7 **SEC. 487. STANDARDS AND ASSURANCES FOR CENTERS**
8 **FOR INDEPENDENT LIVING.**

9 Section 725(b) of the Rehabilitation Act of 1973 (29
10 U.S.C. 796f-4(b)) is amended by adding at the end the
11 following:

12 “(8) PROMOTING FULL ACCESS TO COMMUNITY
13 LIFE.—The center shall provide independent living
14 services that promote full access to community life
15 for individuals with significant disabilities. The serv-
16 ices shall include, as appropriate, facilitating transi-
17 tions from nursing homes and other institutions, in-
18 cluding institutions serving individuals with cognitive
19 disabilities, to community-based residences, assisting
20 individuals with significant disabilities at risk of en-
21 tering institutions to remain in the community, and
22 promoting home ownership among individuals with
23 significant disabilities.”.

1 **SEC. 488. CENTERS FOR INDEPENDENT LIVING AUTHORIZA-**
2 **TION OF APPROPRIATIONS.**

3 Section 727 of the Rehabilitation Act of 1973 (29
4 U.S.C. 796f–6) is amended by striking “fiscal years 1999
5 through 2003” and inserting “fiscal years 2004 through
6 2009”.

7 **SEC. 489. INDEPENDENT LIVING SERVICES FOR OLDER IN-**
8 **DIVIDUALS WHO ARE BLIND.**

9 Chapter 2 of title VII of the Rehabilitation Act of
10 1973 (29 U.S.C. 796j et seq.) is amended—

11 (1) by redesignating sections 752 and 753 as
12 sections 753 and 754, respectively; and

13 (2) by inserting after section 751 the following:

14 **“SEC. 752. TRAINING AND TECHNICAL ASSISTANCE.**

15 “(a) GRANTS; CONTRACTS; OTHER ARRANGE-
16 MENTS.—For any fiscal year for which the funds appro-
17 priated to carry out this chapter exceed the funds appro-
18 priated to carry out this chapter for fiscal year 2003, the
19 Commissioner shall first reserve from such excess, to pro-
20 vide training and technical assistance to eligible entities
21 for such fiscal year, not less than 1.8 percent, and not
22 more than 2 percent, of the funds appropriated to carry
23 out this chapter for the fiscal year involved.

24 “(b) ALLOCATION.—From the funds reserved under
25 subsection (a), the Commissioner shall make grants to,
26 and enter into contracts and other arrangements with, en-

1 tities that demonstrate expertise in the provision of serv-
2 ices to older individuals who are blind to provide training
3 and technical assistance with respect to planning, devel-
4 oping, conducting, administering, and evaluating inde-
5 pendent living programs for older individuals who are
6 blind.

7 “(c) FUNDING PRIORITIES.—The Commissioner shall
8 conduct a survey of designated State agencies that receive
9 grants under section 753 regarding training and technical
10 assistance needs in order to determine funding priorities
11 for grants, contracts, and other arrangements under this
12 section.

13 “(d) REVIEW.—To be eligible to receive a grant or
14 enter into a contract or other arrangement under this sec-
15 tion, an eligible entity shall submit an application to the
16 Commissioner at such time, in such manner, containing
17 a proposal to provide such training and technical assist-
18 ance, and containing such additional information as the
19 Commissioner may require.

20 “(e) PROHIBITION ON COMBINED FUNDS.—No funds
21 reserved by the Commissioner under this section may be
22 combined with funds appropriated under any other Act or
23 part of this Act if the purpose of combining funds is to
24 make a single discretionary grant or a single discretionary
25 payment, unless such funds appropriated under this chap-

1 ter are separately identified in such grant or payment and
2 are used for the purposes of this chapter.”.

3 **SEC. 490. PROGRAM OF GRANTS.**

4 Section 753 of the Rehabilitation Act of 1973, as re-
5 designated by section 489, is amended—

6 (1) in subsection (g), by inserting “, or con-
7 tracts with,” after “grants to”;

8 (2) by striking subsection (h);

9 (3) by redesignating subsections (i) and (j) as
10 subsections (h) and (i), respectively;

11 (4) in subsection (b), by striking “section 753”
12 and inserting “section 754”;

13 (5) in subsection (c)—

14 (A) in paragraph (1), by striking “section
15 753” and inserting “section 754”; and

16 (B) in paragraph (2)—

17 (i) by striking “subsection (i)” and in-
18 serting “subsection (h)”; and

19 (ii) by striking “subsection (j)” and
20 inserting “subsection (i)”;

21 (6) in subsection (h), as redesignated by para-
22 graph (3)—

23 (A) in paragraph (1), by striking “sub-
24 section (j)(4)” and inserting “subsection
25 (i)(4)”; and

1 (B) in paragraph (2)—

2 (i) in subparagraph (A)(vi), by adding
3 “and” after the semicolon;

4 (ii) in subparagraph (B)(ii)(III), by
5 striking “; and” and inserting a period;
6 and

7 (iii) by striking subparagraph (C);
8 and

9 (7) in subsection (i), as redesignated by para-
10 graph (3)—

11 (A) by striking paragraph (2) and insert-
12 ing the following:

13 “(2) MINIMUM ALLOTMENT.—

14 “(A) STATES.—In the case of the several
15 States, the District of Columbia, and the Com-
16 monwealth of Puerto Rico, the amount referred
17 to in paragraph (1)(A) for a fiscal year is the
18 greater of—

19 “(i) \$350,000;

20 “(ii) an amount equal to the amount
21 the State, the District of Columbia, or the
22 Commonwealth of Puerto Rico received to
23 carry out this chapter for fiscal year 2003;
24 or

1 “(iii) an amount equal to $\frac{1}{3}$ of 1 per-
2 cent of the amount appropriated under sec-
3 tion 754, and not reserved under section
4 752, for the fiscal year and available for
5 allotments under subsection (a).

6 “(B) CERTAIN TERRITORIES.—In the case
7 of Guam, American Samoa, the United States
8 Virgin Islands, and the Commonwealth of the
9 Northern Mariana Islands, the amount referred
10 to in paragraph (1)(A) for a fiscal year is
11 \$60,000.”;

12 (B) in paragraph (3)(A), by striking “sec-
13 tion 753” and inserting “section 754, and not
14 reserved under section 752,”; and

15 (C) in paragraph (4)(B)(i), by striking
16 “subsection (i)” and inserting “subsection (h)”.

17 **SEC. 491. INDEPENDENT LIVING SERVICES FOR OLDER IN-**
18 **DIVIDUALS WHO ARE BLIND AUTHORIZATION**
19 **OF APPROPRIATIONS.**

20 Section 754 of the Rehabilitation Act of 1973, as re-
21 designated by section 489, is amended by striking “fiscal
22 years 1999 through 2003” and inserting “fiscal years
23 2004 through 2009”.

1 **Subtitle H—Miscellaneous**

2 **SEC. 495. HELEN KELLER NATIONAL CENTER ACT.**

3 (a) GENERAL AUTHORIZATION OF APPROPRIA-
4 TIONS.—The first sentence of section 205(a) of the Helen
5 Keller National Center Act (29 U.S.C. 1904(a)) is amend-
6 ed by striking “1999 through 2003” and inserting “2004
7 through 2009”.

8 (b) HELEN KELLER NATIONAL CENTER FEDERAL
9 ENDOWMENT FUND.—The first sentence of section
10 208(h) of the Helen Keller National Center Act (29
11 U.S.C. 1907(h)) is amended by striking “1999 through
12 2003” and inserting “2004 through 2009”.

13 **TITLE V—TRANSITION AND**
14 **EFFECTIVE DATE**

15 **SEC. 501. TRANSITION PROVISIONS.**

16 The Secretary of Labor shall, at the discretion of the
17 Secretary, take such actions as the Secretary determines
18 to be appropriate to provide for the orderly implementa-
19 tion of titles I and III of this Act. The Secretary of Edu-
20 cation shall, at the discretion of the Secretary, take such
21 actions as the Secretary determines to be appropriate to
22 provide for the orderly implementation of titles II and IV
23 of this Act.

1 **SEC. 502. EFFECTIVE DATE.**

2 Except as otherwise provided in this Act, this Act and
3 the amendments made by this Act shall take effect on the
4 date of enactment of this Act.